EXHIBIT 7

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

WAPP TECH LIMITED PARTNERSHIP and WAPP TECH CORP.,

Plaintiffs,

v.

BANK OF AMERICA, N.A.,

Defendant.

WAPP TECH LIMITED PARTNERSHIP and WAPP TECH CORP.,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 4:21-cv-00670-ALM

JURY TRIAL DEMANDED

Case No. 4:21-cv-00671-ALM

JURY TRIAL DEMANDED

<u>DEFENDANTS' IDENTIFICATION OF PRELIMINARY CLAIM CONSTRUCTIONS</u> <u>AND EXTRINSIC EVIDENCE</u>

I. <u>INTRODUCTION</u>

Pursuant to the Docket Control Order and P.R. 4-2, Defendants Wells Fargo Bank, N.A. and Bank of America, N.A. ("Defendants") hereby provide Defendants' Identification of Preliminary Claim Constructions and Extrinsic Evidence.

II. PRELIMINARY STATEMENT AND RESERVATION OF RIGHTS

Defendants identify the following proposed constructions and extrinsic evidence based on the Asserted Claims in Wapp's January 18, 2022, Disclosure of Asserted Claims and Preliminary Infringement Contentions (the "Infringement Contentions"). Defendants reserve the right to modify this disclosure should additional information become available through discovery. Further, Defendants reserve the right to modify this disclosure once it has reviewed Wapp's proposed claim constructions (pursuant to Local Patent Rule 4-2) and in light of arguments made or positions taken by Wapp as this case proceeds. The terms, clauses, and claim elements that should be construed are generally identified at least in the claim where each term first occurs. Unless otherwise indicated, other occurrences of a term, clause, claim element, or a variant thereof, should also be construed, regardless of whether the other occurrences are expressly identified with respect to other applicable claims. Further, several of the identified phrases or clauses for construction can be divided or subdivided in various ways. Defendants reserve the right to propose that parts or subparts of the identified phrases and clauses be construed by the Court.

For each of the terms below, Defendants reserve the right to rely on expert witness testimony regarding the proper construction of the term and/or to rebut any expert or percipient witness testimony presented by Wapp in support of its proposed claim constructions.

Subject to the above limitations and reservations of rights, Defendants submit that the following claim constructions should be adopted by the Court:

III. STIPULATED CLAIM CONSTRUCTIONS

The parties have stipulated to the following constructions, which were previously adopted by the Court in *Wapp Tech Ltd. P'ship et al. v. Seattle Spinco, Inc. et al.*, No. 4:18-cv-469, Dkt. No. 176 (Apr. 27, 2020):

Term	Construction	
"system for testing an application for a mobile device"		
('678 Patent, Claim 45; '864 Patent, Claim 1)		
	The preambles are limiting; plain meaning.	
"system for developing an application for a mobile device"		
('192 Patent, Claim 1)		
"application"		
('192 Patent, Claim 1; '864 Patent, Claim 1; '678 Patent, Claim 45)	Plain meaning.	
"simulate" / "simulating"		
('678 Patent, Claim 45; '864 Patent, Claim 1; '192 Patent, Claim 1; '811 Patent, Claims 1, 8, 22, 24; '579 Patent claims 1, 7, 11, 19)	"emulate" / "emulating"	
"emulate"	DI.:	
('192 Patent, Claim 1)	Plain meaning.	
"simultaneously visually simulate, via one or more profile display windows"		
('678 Patent, Claim 45)	"emulate simultaneously, and display one or more windows showing resources of the	
"simultaneously visually emulate, via one or more profile display windows"	mobile device that are available to the application"	
('192 Patent, Claim 1)		
"simulate, via one or more profile display windows"	"emulate, and display one or more windows showing resources of the mobile device that	
('864 Patent, Claim 1)	are available to the application"	
"configured to"		
('192 Patent, Claims 1, 2; '678 Patent, Claim 45; '864 Patent, Claim 1)	"actually programmed to"	
"the software"	The antecedent basis for "the software" in "a	
('678 Patent, Claim 45)	software testing interface" in Claim 45 of the '678 Patent.	

IV. <u>DEFENDANTS' PROPOSED CLAIM CONSTRUCTIONS</u>

Additionally, and subject to the foregoing, Defendants identify the following proposed constructions and extrinsic evidence.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
1	"a software authoring interface configured to simultaneously visually emulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application further configured to simulate a network connection state encountered by the mobile device" ('192 Patent, Claim 1)	Means-plus-function term. This term is indefinite Function: simultaneously visually emulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application and simulate a network connection state encountered by the mobile device Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase "software authoring interface," the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
2.	"the software authoring interface is configured to enable a user to select from one or more connection simulations for testing how well mobile content performs on the mobile device" ('192 Patent, Claim 2)	Means-plus-function term. This term is indefinite Function: enable a user to select from one or more connection simulations for testing how well mobile content performs on the mobile device Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase "software authoring interface," the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.
3.	"software configured to simulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application" ('864 Patent, Claim 1)	Means-plus-function term. This term is indefinite Function: simulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase "software," the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
4	"a software testing interface configured to simultaneously visually simulate, via one or more profile display windows, a plurality of operator network characteristics including at least bandwidth availability indicative of performance of the mobile device when executing the application" ('678 Patent, Claim 45)	Means-plus-function term. This term is indefinite Function: simultaneously visually simulate, via one or more profile display windows, a plurality of operator network characteristics including at least bandwidth availability indicative of performance of the mobile device when executing the application Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase "software testing interface," the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
5	"network characteristics" ('192 Patent, Claim 1; '864 Patent, Claim 1; '678 Patent, Claim 45; '579 Patent, Claims 25, 26)	"characteristics of the network, regardless of whether they are identified directly or identified as events"	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase "network characteristics"; Expert Report of Sam Malek Relating to the Validity of U.S. Patent Nos. 8,924,192, 9,971,678, and 9,298,864 dated December 22, 2020 (MFSUB0016349-16500) at ¶¶37-59, 236-253.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
6	"indicative of" ('192 Patent, Claim 1; '864 Patent, Claim 1; '678 Patent, Claim 45; '811 Patent, Claims 1, 4, 9, 22, 24, '579 Patent, Claim 7)	Indefinite	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase "indicative of"; '579 patent, file history, May 16, 2019 Non-Final Rejection; '579 patent, file history, November 18, 2019 Amendment and Response to Non-Final Office Action.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
7	"the selected characteristics" ('579 Patent, Claim 1)	Indefinite	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the antecedent basis, if any, for this claim limitation, whether this claim limitation has a reasonably ascertainable meaning, the order of steps recited in the claims, and the effect such order would have on understanding the construction of this claim term.

Defendants disclose that Dr. Sandeep Chatterjee may opine on the topics summarized above and below and may offer testimony in rebuttal to any expert opinions advanced by Plaintiff. Appendix A to this disclosure sets forth Dr. Chatterjee's qualifications. In reaching his opinions, Dr. Chatterjee may rely on his experience and the knowledge of a person of ordinary skill in the art, the state of prior art, the specifications of the asserted patents and their prosecution histories, the language of the asserted claims, evidence identified by Plaintiff in its disclosures, and/or any information identified by Plaintiff or Defendants in any disclosures or filings in relation to claim construction. By identifying Dr. Chatterjee, Defendants do not waive

any right and is not precluded from relying on another expert with similar qualifications who may provide a declaration or testimony addressing these issues.

Dr. Chatterjee may provide an opinion on the level of ordinary skill in the art. Further Dr. Chatterjee may provide opinions regarding how a person of ordinary skill in the art would understand each of the terms identified in the above table, including by providing technical background concerning the respective claim term and what one of ordinary skill in the art would understand the claim term to mean in view of the knowledge in the field at the time of the patent, the specifications, the prosecution histories, the claim language, and/or the extrinsic evidence. Additionally for each term in the above table that Defendants identified as indefinite, Dr. Chatterjee may provide opinions explaining that the terms, read in light of the specification delineating the patent and the prosecution history, fail to inform, with reasonable certainty, those skilled in the art about the scope of the invention.

Dated: March 10, 2022 Respectfully submitted,

/s/ Marc J. Pensabene

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Dated: March 10, 2022 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic

service are being served this 10th day of March 2022 with a copy of this document via electronic

mail.

/s/ E. Danielle T. Williams
E. Danielle T. Williams Dated: March 10, 2022

APPENDIX A



Harvard University

Exec. Ed., Global Leadership

Massachusetts Institute of Technology

Ph.D., Computer Science
M.S., Electrical Engineering & Computer Science

University of California at Berkeley

B.S., Electrical Engineering & Computer Science

Sandeep Chatterjee, Ph.D.

Chief Executive Officer

Professional Summary

Sandeep Chatterjee, Ph.D. is a seasoned technology expert and business professional with almost two decades of hands-on contributions as a thought leader, technologist, consultant, entrepreneur, and author. He is an expert in computer software and hardware systems, with particular emphasis on distributed systems and architectures, service-oriented architectures (SOAs), software-as-a-service (SaaS) and Web Services, end-to-end security, quality-of-service (QoS), communications and telecommunications systems, location-based services, social network services and social media, as well as mobile and wireless systems and applications. He is the co-author of a book on developing enterprise computing systems, which has been adopted by over 100 universities worldwide.

Dr. Chatterjee also has extensive experience with providing expert testimony for intellectual property and commercial litigation, including for high stakes patent litigation, copyright and trade secret misappropriation, contract disputes and patent licensing cases. He has testified at trial, and has had his deposition taken more than 60 times. Dr. Chatterjee combines strong experience with expert testimony within the context of litigation together with worldwide experience in designing, architecting and implementing complex computing systems.

Honors & Achievements

- Named a Young Global Leader by the World Economic Forum for professional accomplishments, commitment to society and potential to contribute to shaping the future of the world.
- Doctoral dissertation at the Massachusetts Institute of Technology (MIT) was selected as one of the
 most important inventions in computing, and the invention is preserved and showcased in a timecapsule at the Museum of Science in Boston, Massachusetts. Other recipients of this honor include
 Bill Gates (founder of Microsoft) and Tim Berners-Lee (inventor of the World Wide Web).
- Technology solution designed by Dr. Chatterjee was identified as a Bloomberg Innovation, and the company he co-founded to commercialize that technology solution was featured on Bloomberg TV's "Bloomberg Innovators" program.
- Member of the JSR 172 Expert Group that defined the worldwide standard for J2ME mobile Web services.

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Professional Experience

From: 2013
To: present
Organization: Experantis LLC

Title: Chief Executive Officer

Summary: Experantis LLC provides consultation and services in all facets of commercial litigation.

From: 2016 To: 2019

Organization: International Institute of Digital Technologies

Title: Dean, Mobility Center of Excellence

Summary: International Institute of Digital Technologies (IIDT) is a leading institute of higher

education, focused on digital technologies.

From: 2013 To: present

Organization: S3G Technology LLC

Title: Member

Summary: S3G Technology LLC provides consultation, products and services related to mobile

and wireless solutions that deliver critical services to semi-urban, rural and remote

populations across the world.

From: 2011 To: present

Organization: World Economic Forum

Title: Young Global Leader; Member of the Expert Network

Summary: The World Economic Forum is an international institution for public-private

cooperation, and its mission is cited as "committed to improving the state of the world by engaging business, political, academic, and other leaders of society to shape

global, regional, and industry agendas."

From: 2007
To: present
Organization: Shuv Gray LLC

Title: Chief Executive Officer

Summary: Shuv Gray LLC provides information technology and intellectual property consultation

and services.

From: 2007 To: 2012

Organization: SourceTrace Systems, Inc.

Title: Chief Technology Officer & Executive Vice President

Summary: SourceTrace Systems is a leading vendor of end-to-end mobile and wireless

distributed transactional systems for the financial services, agricultural commodities,

and product distribution markets around the world.

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From: 2004
To: 2007
Organization: Cyndeo LLC

Title: Chief Executive Officer

Summary: Founded Cyndeo to be a leading provider of enterprise integration and mobilization

solutions as well as technology strategy consulting and outsourcing services to global corporations, government agencies, and major not-for-profit organizations. Cyndeo provides consulting, software engineering development, and management services to companies and organizations of all sizes, from Fortune Global 100 corporations to

small organizations in developing countries.

From: 2001 To: 2002

Organization: Hewlett-Packard (Palo Alto, CA)
Title: Senior Member of Technical Staff

Summary: Independently identified a need in the mobile and e-Business marketplace for a more flexible Web Services platform. Invented a patent-pending (applied) solution, and led

the development as well as the initial sales and marketing efforts.

 This next-generation J2EE (HP/Bluestone app server) Web Services solution ties together the emerging Web Services standards, end-to-end transactions, and optimized mobile services & applications.

- Led and managed the entire lifecycle of the product from conception, architectural design, product development, QA, documentation, senior management approval, patent filing, preparation for marketing launch at JavaOne, as well as interfacing with early adopter customers and strategic partners.
- Managed relationships with multiple HP organizations and teams that contributed to the overall solution.
- Positioned the product, targeted key early adopters and partners, and leveraged my own contacts to build successful strategic relationships.
- Selected to provide support to HP/Bluestone's top sales manager, and helped land a strategic account in the Asia-Pac market.
- Selected as the representative for Hewlett Packard to the JSR 172 Expert Group that is defining the worldwide standard for J2ME mobile Web Services.

From: 1999 To: 2000

Organization: Satora Networks

Title: Founder & Chief Technology Officer

Summary: Founded Satora Networks to create wireless platforms and services for Internet

devices based on the technologies invented by Dr. Chatterjee as part of his Ph.D.

research at MIT Lab for Computer Science.

 Raised venture funding, recruited the management and core engineering teams, set corporate and product strategy, handled customer and partner relations, and managed overall corporate affairs.

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- Architected and led the development of the StrongARM-based mobile hardware platform, Linux-based mobile OS, client-side services, and server-side J2EE environment.
- Landed key customer and partner wins, managed revenue and burn rate to become profitable early on, and oversaw the growth of the company.

From: 1995 To: 2001

Organization: MIT Lab for Computer Science

Title: Doctoral Researcher

Summary: Designed a modular system architecture that supports the cost-effective

development of network devices and services. The system consists of Lego-like commodity hardware and standards-based software components that are quickly composed together through a development environment into optimized end-user

devices as well as client-side services.

- Architected and implemented the entire system: a Linux-based client software environment, a wireless network and StrongARM processor-based device hardware platform, as well as a Web-based design and optimization environment and tool.
- Successfully mentored and managed a research group of 6 Masters and Bachelors students.
- The technology underlying Dr. Chatterjee's thesis was selected as one of the top inventions in thirty-five year history of MIT Laboratory for Computer Science.

From: 1997 To: 1999

Organization: FidelityCAPITAL (Boston, MA)
Title: Entrepreneur-In-Residence

Summary: Worked with Fidelity senior management and Fidelity CAPITAL partners to source,

analyze, and fund technology start-ups strategic to Fidelity interests.

 Evaluated business plans submitted to Fidelity for venture funding, and analyzed emerging market and technology trends to identify opportunities for internal spin-offs in the telecom and eBusiness spaces.

 Founded and served as President & CTO of a wireless devices and services company (Satora Networks) that was seed funded by Fidelity.

Litigation Support Experience

Expert Engagement:

Type of Matter: Enterprise Software Patent Infringement

Law Firm: Morrison & Foerster

Case Name: Software AG and Software AG v. BEA Systems

Services Provided: Retained as BEA's expert; submitted two expert reports; deposed twice;

prepared for trial (exhibits, testimony, cross examination).

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Expert Engagement:

Type of Matter: Enterprise software intellectual property litigation.

Law Firm: Morrison & Foerster

Case Name:

Services Provided: Consultant to attorney

Date: 2004-2005

Expert Engagement:

Type of Matter: Mobile software intellectual property litigation.

Law Firm: Perkins Coie

Case Name: Esmertec v. Tao Group

Services Provided: Retained as Esmertec's expert; submitted two expert reports.

Date: 2006

Expert Engagement:

Type of Matter: Enterprise and mobile software intellectual property litigation.

Law Firm: McDermott Will & Emery

Case Name: Metrologic Instruments v. Symbol Technologies

Services Provided: Retained as Metrologic's expert

Date: 2006-2007

Expert Engagement:

Type of Matter: Distributed and mobile computing trade secret litigation.

Law Firm: Haralson, Miller, Pitt, Feldman & McAnally

Case Name: Modular Mining Systems (Komatsu Ltd.) v. Jigsaw Systems et al.

Services Provided: Retained as Modular's expert; submitted two expert reports; deposed.

Date: 2006-2008

Expert Engagement:

Type of Matter: Distributed systems, mobile computing and object oriented programming

intellectual property litigation.

Law Firm: Kirkland & Ellis

Case Name:

Services Provided: Consultant to attorney

Date: 2007

Expert Engagement:

Type of Matter: Communications software and systems intellectual property litigation.

Law Firm: Carey Rodriguez Greenberg & Paul

Case Name: Catch Curve v. Venali

Services Provided: Retained as Venali's expert; submitted two expert reports

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Expert Engagement:

Type of Matter: Distributed computing and network routing systems intellectual property

litigation.

Law Firm: Vinson & Elkins
Case Name: WebXChange v. Dell
Services Provided: Retained as Dell's expert

Date: 2008-2010

Expert Engagement:

Type of Matter: Communications systems intellectual property litigation.

Law Firm: Kirkland & Ellis

Case Name: Motorola, Inc. et al. v. Rembrandt Technologies, LP

Services Provided: Retained as the plaintiffs' expert; submitted expert report

Date: 2009

Expert Engagement:

Type of Matter: Database and object mapping intellectual property litigation.

Law Firm: Kirkland & Ellis

Case Name: DataTern v. United Airlines

Services Provided: Retained as United Airlines' expert

Date: 2009

Expert Engagement:

Type of Matter: Control systems intellectual property litigation.

Law Firm: Morgan Lewis & Bockius
Case Name: Finisar v. Source Photonics

Services Provided: Retained as Finisar's expert; source code review

Date: 2010

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.

Law Firm: Morgan Lewis & Bockius
Case Name: OpenWave v. 724 Solutions

Services Provided: Retained as OpenWave's expert; source code review

Date: 2010

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.

Law Firm: Winston Strawn

Case Name: Ganas v. Charles Schwab et al

Services Provided: Retained as Charles Schwab's expert

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Expert Engagement:

Type of Matter: Mobile systems trade secret misappropriation litigation.

Law Firm: Berliner Cohen

Case Name: Damodharan Ulagaratchalan v Dhyan Infotech Services Provided: Retained as Dhyan's expert; source code review

Date: 2011

Expert Engagement:

Type of Matter: Control systems intellectual property litigation.

Law Firm: Morgan Lewis & Bockius

Case Name: Finisar v. Oplink

Services Provided: Retained as Finisar's expert; source code review

Date: 2011

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.

Law Firm: Ropes & Gray

Case Name: Motorola Mobility (Google) v. Microsoft

Services Provided: Retained as Google's expert; source code review

Date: 2011-2012

Expert Engagement:

Type of Matter: Wireless networking & management intellectual property litigation.

Law Firm: Kirkland & Ellis

Case Name: Netgear v. Ruckus Wireless

Services Provided: Retained as Netgear's expert; source code review

Date: 2012-2013

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.

Law Firm: Morgan Lewis & Bockius

Case Name: XpertUniverse v. Cisco Systems

Services Provided: Retained as Cisco's expert; submitted expert report; source code review;

deposition; trial

Date: 2012-2013

Expert Engagement:

Type of Matter: Distributed computing systems contract litigation.

Law Firm: Berliner Cohen

Case Name: Skillnet Solutions v. Entertainment Publications

Services Provided: Retained as Entertainment's expert

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Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.

Law Firm: Mayer Brown

Case Name: Aeritas v. US Airways, Inc., Delta Airlines, Inc., Alaska Air Group

Services Provided: Retained as the airlines' expert; submitted 3 expert reports; source code

review; depositions

Date: 2013

Expert Engagement:

Type of Matter: Distributed systems intellectual property litigation.

Law Firm: Ropes & Gray

Case Name: Wellogix v. ADP et. al.
Services Provided: Retained as ADP's expert

Date: 2013

Expert Engagement:

Type of Matter: Trade secret misappropriation litigation.

Law Firm: Hopkins & Carley

Case Name: Bradford Technologies v. NCV Software et al.

Services Provided: Retained as Bradford's expert; submitted expert report; mediation

Date: 2013

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.

Law Firm: Fish & Richardson P.C.

Case Name: Ericsson Inc. v. Samsung Electronics Co., Ltd. et al. Services Provided: Retained as Samsung's expert; source code review

Date: 2013

Expert Engagement:

Type of Matter: Contract dispute litigation.
Law Firm: Morgan Lewis & Bockius

Case Name: AMC Technologies v. Cisco Systems

Services Provided: Retained as Cisco's expert; submitted expert report; deposition

Date: 2013

Expert Engagement:

Type of Matter: Trade secret misappropriation litigation.

Law Firm: Lexanalytica
Case Name: PQ Labs v. Qi et. al.

Services Provided: Retained as defendants' expert; source code review; deposition

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Expert Engagement:

Type of Matter: Distributed systems and security intellectual property litigation.

Law Firm: Troutman Sanders

Case Name: Media Rights Technologies, Inc. v. Capital One Financial Corporation Services Provided: Retained as Capital One's expert; source code review; expert reports;

declaration

Date: 2013

Expert Engagement:

Type of Matter: Distributed computing intellectual property litigation.

Law Firm: Rothwell, Figg, Ernst & Manbeck, P.C. Case Name: SecureBuy v. CardinalCommerce

Services Provided: Retained as SecureBuy's expert; inter partes review; declarations

Date: 2013

Expert Engagement:

Type of Matter: Distributed computing intellectual property litigation.

Law Firm: Mayer Brown LLP

Case Name: American Airlines , Inc. et al. v. Loyalty Conversion Systems Corporation Services Provided: Retained as the airlines' expert; covered business method petitions;

declarations

Date: 2014

Expert Engagement:

Type of Matter: Mobile computing and security intellectual property litigation.

Law Firm: Dickstein Shapiro, LLP

Case Name: Tierra Intellectual Boringuen, Inc. v. Toshiba Corporation et. al.

Services Provided: Retained as Toshiba's expert; declaration; expert report

Date: 2014

Expert Engagement:

Type of Matter: Distributed computing systems and software intellectual property litigation.

Law Firm: Reed Smith, LLP

Case Name: Kroy IP Holdings, LLC v. Safeway, Inc. and The Kroger Co.

Services Provided: Retained as the defendants' expert; expert report

Date: 2014

Expert Engagement:

Type of Matter: Secure mobile computer hardware and software intellectual property litigation.

Law Firm: White & Case LLP

Case Name: Maxim Integrated Products, Inc. v. JPMorgan Chase & Co. Services Provided: Retained as JPMorgan Chase's expert; 3 expert reports

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Expert Engagement:

Type of Matter: Computer hardware and software antitrust litigation.

Law Firm: Morgan Lewis & Bockius LLP

Case Name: In Re: Keurig Green Mountain Single Serve Coffee Antitrust Litigation.

Services Provided: Retained as plaintiffs' expert; declarations

Date: 2014

Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.

Law Firm: Morgan Lewis & Bockius LLP
Case Name: Unwired Planet LLC v. Square, Inc.

Services Provided: Retained as plaintiffs' expert; source code review; declarations

Date: 2014

Expert Engagement:

Type of Matter: Distributed computing systems intellectual property litigation.

Law Firm: Morrison & Foerster LLP

Case Name: AirWatch LLC v. Good Technology Corporation et al.

Services Provided: Retained as plaintiff's expert; declaration

Date: 2014

Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.

Law Firm: Goodwin Procter LLP

Case Name: Unwired Planet LLC v. Square, Inc.

Services Provided: Retained as plaintiff/patent owner's expert; source code review; covered

business methods review; inter partes review; declarations; deposition

Date: 2015

Expert Engagement:

Type of Matter: Distributed computing systems intellectual property litigation.

Law Firm: Morrison & Foerster LLP

Case Name: Good Technology Corporation et al. v. AirWatch LLC

Services Provided: Retained as defendant's expert; inter partes review; declaration

Date: 2015

Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.

Law Firm: Schwegman Lundberg & Woessner Case Name: Square, Inc. v. Unwired Planet LLC

Services Provided: Retained as patent owner's expert; CBM declaration

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Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.

Law Firm: EIF

Case Name: Square, Inc. v. Unwired Planet LLC

Services Provided: Retained as patent owner's expert; inter partes review; declaration

Date: 2015

Expert Engagement:

Type of Matter: Software systems intellectual property litigation.

Law Firm: Mayer Brown LLP

Case Name: American Express Company et al. v. Signature Systems, LLC

Services Provided: Retained as petitioner's expert; covered business methods review; declaration

Date: 2015

Expert Engagement:

Type of Matter: Software and backup systems intellectual property litigation.

Law Firm: Morrison & Foerster LLP

Case Name: Farstone Technology, Inc. v. Apple, Inc.

Services Provided: Retained as Apple's expert; source code review; expert reports (2);

declarations; deposition

Date: 2015

Expert Engagement:

Type of Matter: Distributed computing systems intellectual property litigation.

Law Firm: Baker Botts LLP

Case Name: MobileIron, Inc. v. Good Technology Corporation

Services Provided: Retained as petitioner's expert; inter partes review; declaration

Date: 2015

Expert Engagement:

Type of Matter: Data management intellectual property litigation.

Law Firm: Mayer Brown

Case Name: Olivistar v. Regions Bank et al.

Services Provided: Retained as defendant's expert; declaration

Date: 2015

Expert Engagement:

Type of Matter: Cloud computing and data migration intellectual property litigation.

Law Firm: Ropes & Gray
Case Name: BitTitan v. SkyKick

Services Provided: Retained as defendant's expert; declarations; deposition

Date: 2015

Expert Engagement:

Type of Matter: Breach of contract, fraud litigation involving large scale enterprise software.

Law Firm: Orrick

Case Name: State of Oregon v. Oracle et al. Services Provided: Retained as defendants' expert

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Expert Engagement:

Type of Matter: Document processing intellectual property litigation.

Law Firm: Mayer Brown

Case Name: Capital Security Systems v. NCR et al.

Services Provided: Retained as defendants' expert; expert report

Date: 2016

Expert Engagement:

Type of Matter: Web page intellectual property litigation.

Law Firm: Cooley

Case Name: Tele-Publishing, Inc. v. Facebook et al.

Services Provided: Retained as Facebook's expert; expert report; declarations; deposition

Date: 2016

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Sound View Innovations, LLC v. Facebook, Inc.

Services Provided: Retained as Facebook's expert; inter partes review; declarations

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Zkey Investments, LLC v. Facebook, Inc.

Services Provided: Retained as Facebook's expert; inter partes review; declaration

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Young Basile

Case Name: Mantissa Corp. v. Ondot Systems, Inc. et al Services Provided: Retained as plaintiff's expert; declaration

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Vaporstream, Inc. v. Snap, Inc.

Services Provided: Retained as Snap's expert; inter partes review; declarations

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Baker Botts

Case Name: Symantec Corporation v. Zscaler, Inc.

Services Provided: Retained as Symantec's expert; inter partes reviews; declarations

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Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Klarquist

Case Name: American Express Company et al. v. Signature Systems, LLC

Services Provided: Retained as Petitioner's expert; covered business method petition; declaration

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Miller Law

Case Name: Apogee Telecom, Inc. v. Brian Rosenblatt

Services Provided: Retained as Defendant's expert

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property arbitration.

Law Firm: Morgan Lewis & Bockius

Case Name: Trupanion, Inc. v. Veterinary Data Services, Inc.

Services Provided: Retained as Defendant's expert

Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Goodwin

Case Name: Leftsnrights, Inc. v. 33Across, Inc.

Services Provided: Retained as Defendant's expert; inter partes review; declaration; deposition

Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Ameranth, Inc. v. Mobo Systems, Inc. (Olo)
Services Provided: Retained as Defendant's expert; expert reports

Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Facebook, Inc. and Instagram, LLC v. Search and Social Media Partners, LLC Services Provided: Retained as Facebook's expert; *inter partes* review; declarations; deposition

Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Facebook, Inc. v. Hyper Search LLC

Services Provided: Retained as Facebook's expert; inter partes review; declaration

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Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Goodwin

Case Name: Touchstream Technologies, Inc. v. Vizbee, Inc.

Services Provided: Retained as Vizbee's expert; expert report; source code analysis; deposition

Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Facebook, Inc., Instagram, LLC and WhatsApp, Inc. v. Blackberry Limited
Services Provided: Retained as Petitioners' expert; *inter partes* reviews; declarations; depositions

Date: 2018

Expert Engagement:

Type of Matter: Litigation.

Law Firm: Morgan Lewis & Bockius

Case Name: Roger Hogan et al. v. Toyota Motor Sales, U.S.A., Inc.
Services Provided: Retained as defendant's expert; expert report; deposition

Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Baker Botts

Case Name: Blue Spike LLC v. DISH Network Corp.

Services Provided: Retained as DISH's expert; inter partes review; declarations

Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: King & Spalding

Case Name: NCR Corp. v. Pendum, LLC and Burroughs, Inc.

Services Provided: Retained as NCR's expert; expert reports; source code analysis; depositions

Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Paul Hastings

Case Name: Snap, Inc. v. Blackberry Limited

Services Provided: Retained as Snap's expert; inter partes reviews; declarations

Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: King & Spalding

Case Name: Lufthansa Technik and Certified Aviation Services, LLC v. EcoServices, LLC Services Provided: Retained as Lufthansa's expert; ex parte reexamination; declaration

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Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Davis Polk & Wardwell; Winston & Strawn

Case Name: Rovi Guides, Inc. v. Comcast Corp. et al., ITC Inv. No. 337-TA-1158 (2019)

Services Provided: Retained as Comcast's expert; expert report; deposition; trial

Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Microsoft Corporation, Google LLC, Asustek Computer Inc., Acer Incorporated,

HTC Corporation v. Mimzi, LLC

Services Provided: Retained as Petitioners' expert; inter partes review; declaration

Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Fish & Richardson

Case Name: Rain Computing, Inc. v. Samsung Electronics Co., Ltd.; Samsung Electronics

America, Inc.; and Samsung Research America, Inc.

Services Provided: Retained as Samsung's expert; declaration

Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Goodwin

Case Name: JBF Interlude 2009 Ltd. - Israel v. Quibi Holdings LLC Services Provided: Retained as JBF Interlude's expert; declaration

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Winston & Strawn

Case Name: Warner Records, Inc., et al. v. Charter Communications, Inc.

Services Provided: Retained as Charter's expert; declarations

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Winston & Strawn

Case Name: UMG Recordings, Inc., et al. v. Bright House Networks, LLC Services Provided: Retained as Bright House Networks' expert; declarations

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Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Ropes & Gray

Case Name: Dolby Laboratories, Inc. v. Intertrust Technologies Corporation Services Provided: Retained as Dolby's expert; *inter partes* review; declarations

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Barclay Damon, LLP

Case Name: Document Dynamics, LLC v. Xerox Corporation
Services Provided: Retained as Xerox's expert; declarations; re-exam

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Goodwin

Case Name: Thaddeus Gabara v. Facebook, Inc.

Services Provided: Retained as Facebook's expert; *inter partes* reviews; declarations

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Wilmer Cutler Pickering Hale and Dorr LLP

Case Name: NexStep, Inc. v. Comcast Cable Communications, LLC

Services Provided: Retained as Comcast's expert; declaration

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: Facebook, Inc. v. USC IP Partnership, L.P.

Services Provided: Retained as Petitioner's expert; inter partes review; declaration

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Locke Lord

Case Name: Cloudofchange, LLC v. NCR Corp.

Services Provided: Retained as NCR's expert; expert reports; declaration; depositions; trial

Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Cooley

Case Name: CommVault Systems, Inc. v. Rubrik Inc.

Services Provided: Retained as Rubrik's expert; inter partes reviews; declarations

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Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Paul Hastings

Case Name: Google LLC v. Express Mobile, Inc.

Services Provided: Retained as Google's expert; inter partes reviews; declarations

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Paul Hastings

Case Name: Uber Technologies, Inc. v. AGIS Software Development LLC

Services Provided: Retained as Uber's expert; inter partes reviews; re-exam; declarations

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Baker Botts

Case Name: Broadband iTV, Inc. v. AT&T Services, Inc. and AT&T Communications LLC

Services Provided: Retained as AT&T's expert; expert report; deposition

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Baker Botts

Case Name: Broadband iTV, Inc. v. DIRECTV, LLC

Services Provided: Retained as DIRECTV's expert; expert report; deposition

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Kirkland & Ellis

Case Name: Samsung Electronics Co., Ltd. v. Blaze Mobile, Inc. and Michelle Fisher Services Provided: Retained as Samsung's expert; *inter partes* reviews; declarations

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: King & Spalding

Case Name: Proven Networks, LLC v F5 Networks, Inc. Services Provided: Retained as F5's expert; declaration

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: King & Spalding

Case Name: WSOU Investments, LLC v F5 Networks, Inc.
Services Provided: Retained as F5's expert; declaration; deposition

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Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: King & Spalding

Case Name: People.AI, Inc. v SetSail Technologies, Inc. Services Provided: Retained as SetSail's expert; declaration

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Orrick

Case Name: IGT and IGT Canada Solutions ULC v Zynga Inc. Services Provided: Retained as Zynga's expert; declarations

Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.

Law Firm: Baker Botts

Case Name: Express Mobile, Inc. v Booking Holdings, Inc.
Services Provided: Retained as Booking Holdings' expert; declarations

Date: 2021

Non-Litigation Consulting Projects

Consulting Engagement:

Type of Matter: Enterprise software architecture and development

Client: Sevak Solutions, Inc.

Services Provided: Architect, specify, and develop enterprise-class software for secure financial

transactioning in multiple markets and countries around the world

Date: 2005-2006

Consulting Engagement:

Type of Matter: Enterprise software architecture and development

Client: United States Agency for International Development (USAID)
Services Provided: Specify and develop financial transactioning and tracking software

Date: 2004-2005

Consulting Engagement:

Type of Matter: Training services

Client: South Korean Ministry of Information and Communications

Services Provided: Conducted a workshop to train selected university professors and corporate

researchers on properly using mobile and distributed technology for strategic

and financial growth.

Date: 2004

Consulting Engagement:

Type of Matter: Product and service strategy and development

Client: Hewlett-Packard Company

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Services Provided: Analyze market opportunities for new, market-specific technology product and

service offerings

Date: 2004

Consulting Engagement:

Type of Matter: Mobile enterprise software Client: ACCION International

Services Provided: Specified, architected, and developed a mobile enterprise software system for

optimizing wireless transactioning.

Date: 2003

Consulting Engagement:

Type of Matter: Market, technology and services strategy development

Client: Hewlett-Packard Laboratories

Services Provided: Analyzed multiple country-specific market needs and opportunities, and

proposed technology and service offerings

Date: 2003

Publications

- 1. Chatterjee, Sandeep and Webber, James, <u>Developing Enterprise Web Services: An Architect's Guide</u> (Pearson Education Korea Ltd. and Hong Reung Science Pub. Co. 2005), Korean Trans.
- 2. Chatterjee, Sandeep and Webber, James, <u>Developing Enterprise Web Services: An Architect's Guide</u> (Prentice Hall 2004).
- 3. Chatterjee, Sandeep and Webber, James, <u>Developing Enterprise Web Services: An Architect's Guide</u> (Pearson Education Singapore Pvt. Ltd. 2004), Indian Reprint.
- 4. Chatterjee, Sandeep, "Enterprise Technology: Web Services: The Next Revolution in IT," in *Dataquest* (March 2004).
- 5. Chatterjee, Sandeep, "Enterprise 2004 Trends: On A Cautious Note," *Dataquest* (Feb. 2004).
- 6. Chatterjee, Sandeep, "A Real-World Web Services-Based Application," *JavaBoutique* (http://javaboutique.internet.com/articles/WSApplications/realWorld3_1.html).
- 7. Chatterjee, Sandeep, "Write Once, Run Anywhere Web Services," *JavaBoutique* (http://javaboutique.internet.com/articles/WSApplications/realWorld2_1.html).
- 8. Chatterjee, Sandeep, "Developing Real World Web Services-Based Applications," *JavaBoutique* (http://javaboutique.internet.com/articles/WSApplications/).
- 9. Chatterjee, Sandeep, Doctoral Thesis Dissertation, "Composable System Resources As An Architecture For Networked Systems," Massachusetts Institute of Technology (2001).
- 10. Keckler, Stephen W., Chang, Andrew, Lee, Whay Sing, Chatterjee, Sandeep, and Dally, William J., "Concurrent Event Handling Through Multithreading," *IEEE Trans. Computers* 48(9), pages 903-916 (1999).

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- 11. Chatterjee, Sandeep and Devadas, Srinivas, "MASC Composable Computing Infrastructure For Intelligent Environments," *Proceedings of the Industrial Electronics Conference*, pages 132-138 (1999).
- 12. Chatterjee, Sandeep, "SANI: A Seamless and Non-Intrusive Framework and Agent for Creating Intelligent Interactive Homes," *Second International Conference on Autonomous Agents*, pages 436-440 (1998).
- 13. Chatterjee, Sandeep, "Towards A MASC Appliances-Based Educational Paradigm," *ACM Symposium on Applied Computing*, pages 112-116 (1998).
- 14. Chatterjee, Sandeep, "Towards Rapidly Deployable Intelligent Environments," *American Association for Artificial Intelligence Symposium on Intelligent Environments*, pages 31-36 (1998).
- 15. Chatterjee, Sandeep, "The ModuleC Network Architecture: A Novel Approach Of Computing Through Information Appliances," *IEEE International Symposium on Consumer Electronics* (1997).
- 16. Chatterjee, Sandeep, Masters Thesis, "Asynchronous Event Handling," Massachusetts Institute of Technology Technical Report (May 1997).
- 17. Tennenhouse, David L. and Chatterjee, Sandeep, "The First 10 Feet: The Missing Story For Encouraging User Investment In Universal Broadband Connectivity" (October 1996).
- 18. Chatterjee, Sandeep and Faraboschi, Paolo, "The VLIW Trace Scheduling Compiler Visual Analysis System," Hewlett-Packard Laboratories Internal Technical Report (September 1995).
- 19. Chatterjee, Sandeep and Donohue, Richard J., "Electron Gamma Shower Windows 2," *International Conference on Monte Carlo Simulations in Nuclear & High Energy Physics* (February 1993).